

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Transportation, Pamela Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 22—Tourist Oriented Directional Signing
Program**

PROPOSED RESCISSION

7 CSR 10-22.050 Sign Requirements. This rule defined the appearance of the tourist oriented directional signs and provided criteria for the specific physical placement of the signs.

PURPOSE: This rule is being rescinded in order to combine 7 CSR 10-9, 7 CSR 10-17, and 7 CSR 10-22 into one (1) chapter.

AUTHORITY: Art. IV, section 29, Mo. Const., section 226.020 and 226.525, RSMo 1994 and 226.130, RSMo Supp. 1998. Original rule filed Feb. 8, 1999, effective Sept. 30, 1999. Rescinded: Filed Nov. 14, 2014.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 22—Tourist Oriented Directional Signing
Program**

PROPOSED RESCISSION

7 CSR 10-22.060 Administration. This rule provided information concerning obtaining, maintaining, and cost for tourist oriented directional signing.

PURPOSE: This rule is being rescinded in order to combine 7 CSR 10-9, 7 CSR 10-17, and 7 CSR 10-22 into one (1) chapter.

AUTHORITY: Art. IV, section 29, Mo. Const., section 226.020 and 226.525, RSMo 1994 and 226.130, RSMo Supp. 1998. Original rule filed Feb. 8, 1999, effective Sept. 30, 1999. Rescinded: Filed Nov. 14, 2014.

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**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules**

PROPOSED AMENDMENT

8 CSR 30-3.060 Occupational Titles of Work Descriptions. The division is amending subsections (8)(X) and (8)(Y).

PURPOSE: This amendment adds the work description language for "Marble Finisher," "Terrazzo Finisher," and "Tile Finisher" so that it is the same as that adopted by order of the Labor and Industrial Relations Commission. This amendment also modifies the headings used in the rule to reflect the division of the existing occupational titles into subclassifications.

(8) The occupational titles of work descriptions set forth here are as follows:

(X) Terrazzo and Marble Occupational Titles—This subsection sets forth work descriptions for three (3) occupational titles related to terrazzo and marble work.

*[(X)]1. Terrazzo Worker-Marble Mason—The [workers performing] work falling within the occupational title of work description for [terrazzo worker-marble mason] **Terrazzo Worker-Marble Mason** includes:*

[1.]A. The installing of marble, mosaic, venetian enamel and terrazzo; the cutting and assembling of mosaics and art ceramics; the casting of all terrazzo on the job site; all rolling of terrazzo work;

[2.]B. The preparing, cutting, layering or setting of metal, composition or wooden strips and grounds on all bedding above concrete floors or walls; and the laying and cutting of metal, strips, lath or other reinforcement, where used in terrazzo work;

[3.]C. The installing of cement terrazzo, magnesite terrazzo, dex-o-tex terrazzo, epoxy matrix terrazzo, exposed aggregate. Rustic or rough wash of exterior or interior of buildings. The mixing or applying of any other kind of mixtures of plastics composed of chips or granules of marble, granite, blue stone, enamel, mother of pearl, quartz ceramic colored quartz, and all other kinds of chips or granules when mixed with cement, rubber, neoprene, vinyl, magnesium chloride or any other resinous or chemical substances used for seamless flooring systems. The applying of binding materials when used on walls, floors, ceilings, stairs, saddles or any other part of the interior or exterior of the building, or other work not considered a part of the building such as fountains, swimming pools;

[4.]D. The finishing of cement floors where additional aggregate of stone is added by spreading or sprinkling on top of the finished base and troweled or rolled into the finish and then the surface ground by grinding machines (When no additional stone aggregate is added to the finished mixture, even though the surface may be ground, the work falls within the occupational title of work description for cement masons.); and

[5.]E. The carving, cutting and setting of all marble, slate, including slate backboards, stone, alaberen, carrara, sanionyx, vitrolite and similar opaque glass, scaglia, marbleithic and all artificial, imitation or case marble of whatever thickness or dimension. This

shall apply to all interior work, such as sanitary, decorative and other purposes inside of buildings of every description wherever required, including all polish, honed or sand finish;

2. **Marble Finisher**—The work falling within the occupational title of work description for Marble Finisher includes:

A. The preparation of floors, and/or walls by scraping, sweeping, grinding, and related methods to prepare surface for Marble Mason installation of construction materials on floor and/or walls; the movement of marble installation materials, tools, machines, and work devices to work areas; the erection of scaffolding and related installation structures;

B. The movement of marble slabs for installation; the drilling of holes and the chiseling of channels in edges of marble slabs to install wall anchors, using power drill and chisel; the securing of marble anchors to studding, using and covering ends of anchors with plaster to secure anchors in place;

C. The supply and mixture of construction materials for Marble Mason; the mixture of grout, as required, following standard formulas and using manual or machine mixing methods; the application of grout to installed marble; the movement of mixed mortar or plaster to installation area, manually or using wheelbarrow;

D. The removal of excess grout, using wet sponge; the cleaning of installed marble surfaces, work and storage areas, installation tools, machinery, and work aids, using water and cleaning agents;

E. The modification of mixing, material moving, grouting, polishing, and cleaning metal pieces, using a torch, spatula, and heat sensitive adhesive and filler;

F. The removal of marble installation materials and related debris from immediate work area; the storing of marble, installation material tools, machines, and related items; and

G. The provision of assistance to Marble Mason with the following tasks: bending or forming of wire to form metal anchors, using pliers; inserting anchors into holes of marble slab; securing anchors in place with wooden stakes and plaster; selecting marble slab for installation following numbered sequences or drawings; grinding and polishing marble, using abrasives, chemical and/or manual, in machine grinding and/or polishing techniques, under Marble Mason's direction; the moving and positioning of marble;

3. **Terrazzo Finisher**—The work falling within the occupational title of work description for Terrazzo Finisher includes:

A. The preparation of floors, and/or walls by scraping, sweeping, grinding, and related methods to prepare surface for Terrazzo Worker installation of construction materials on floors, base and/or walls; the moving of terrazzo installation materials, tools, machines, and work devices to area, manually or using wheelbarrow;

B. The supply and mixture of construction materials for Terrazzo Worker; the preparation, mixture by hand, mixture by mixing machine, or transportation of pre-mixed materials and the distribution with shovel, rake, hoe or pail, of all kinds of concrete foundations necessary for mosaic and terrazzo work; the dumping of mixed materials that form base or top surface of terrazzo into prepared installation site, using wheelbarrow; the measuring of designated amounts of ingredients for terrazzo or grout, using graduated containers and scale, following standard formulas and specifications, and the loading of portable mixer using proper means of transport; the mixture of materials according to experience and requests from Terrazzo Worker;

C. The spreading of marble chips or other material over fresh terrazzo surface and the pressing of the material into terrazzo by use of a roller; the application of grout finishes to surfaces of installed terrazzo; the spreading of grout across terrazzo to finish surface imperfections, using trowel; the installation of grinding stones in power grinders, using hand tools; the fine grinding and polishing of the surface of terrazzo, when grout has

set, using power grinders; the application of curing agent to installed terrazzo to promote even curing, using brush or sprayer; the cutting of grooves in terrazzo stairs, using power grinder; and the filling of grooves with nonskid material;

D. The modification of mixing, grouting, grinding, and cleaning position and the securing of moisture membrane and wire mesh prior to pouring base materials for terrazzo installation;

E. The washing of the surface of polished terrazzo, using cleaner and water, and the application of sealer, according to manufacturer specifications, using brush; the cleaning of the installation site, and storage areas, tools, machines, and equipment; the removal of Terrazzo Worker materials and related debris from immediate work area; and

F. The provision of assistance to Terrazzo Worker with the following tasks: grinding surfaces of cured terrazzo; using power grinders;

(Y) **Tile Occupational Titles**—This subsection sets forth work descriptions for two (2) occupational titles related to tile work.

[(Y)]1. **Tile Setter**—The work falling within the occupational title of work description for Tile Setter includes:

A. *[Applies to workers who apply]* The application of tile to floors, walls, ceilings, stair treads, promenade roof decks, garden walks, swimming pools and all places where tiles may be used to form a finished surface for practical use, sanitary finish or decorative purpose. (Tile includes all burned clay products, as used in the tile industry, either glazed or unglazed, all composition materials; all substitute materials in single units up to and including, fifteen inches by twenty inches by two inches (15" × 20" × 2") (except quarry tiles larger than nine inches by eleven inches (9" × 11")) and all mixtures in the form of cement, plastics and metals that are used as a finished surface.); *[The work falling within this occupational title of work description includes:]*

[1.]B. The cutting and shaping of tile with saws, tile cutters and biters; and

[2.]C. The positioning of tile and tapping it with a trowel handle to affix tile to plaster or adhesive base; and/.

2. **Tile Finisher**—The work falling within the occupational title of work description for Tile Finisher includes:

A. The preparation of floors and/or walls by scraping, sweeping, grinding, and related methods for Tile Setter to install construction materials on floors and walls; the movement of tiles, tile setting tools, and work devices from storage area to installation site manually or using wheelbarrow;

B. The supply and mixture of materials for Tile Setter; the supply and mixture of construction materials for Tile Setter; the mixture of mortar and grout accordingly to standard formulas and request from Tile Setter using bucket, water hose, spatulas, and portable mixer; the modification of mixing, grouting, grinding, and cleaning procedures according to type of installation or material used; the supply to Tile Setter of mortar, using wheelbarrow and shovel; the application of grout between joints of installed tile, using grouting trowel; the application of grout; the cutting of installed tile;

C. The removal of excess grout from tile joints with a sponge and scraping of corners and crevices with a trowel; the application of caulk, sealers, acid, steam, or related agents to caulk, seal, or clean installed tile, using various application devices and equipment;

D. The wiping of surfaces of tile after grouting to remove grout residue and polish tile, using non-abrasive materials; the removal of Tile Setter materials and related debris from immediate work area; the cleaning of installation site, mixing and storage tools, and equipment, using water and various cleaning tools; the storing of tile setting material machines, tools, and equipment; and

E. The provision of assistance to Tile Setter to secure position of metal lath, wire mesh, felt paper, Dur/rock or wonder-board prior to installation of tile; and

AUTHORITY: section 290.240.2., RSMo 2000. Original rule filed Sept. 15, 1992, effective May 6, 1993. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Nov. 7, 2014, effective Nov. 17, 2014, expires May 15, 2015. Amended: Filed Nov. 7, 2014.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Labor Standards, Attn: John E. Lindsey, Director, PO Box 449, Jefferson City, MO 65102-0449. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 40—Division of Fire Safety
Chapter 5—Elevators**

PROPOSED RULE

11 CSR 40-5.165 Elevator Mechanic

PURPOSE: This rule specifies the scope of work performed by an elevator mechanic and license application process.

PUBLISHERS NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) No person shall erect, construct, alter, replace, test, relocate, maintain, remove, dismantle, or wire any conveyance from the main-line feeder terminals on the controller of any equipment covered by sections 701.350 to 701.383, RSMo, and 11 CSR 40-5.010 to 11 CSR 40-5.150 except a person who solely installs and maintains equipment covered by American National Standard Institute (ANSI) A10.4 and ANSI A90.1 unless they possess a Missouri Elevator Mechanic License as described in this rule and are working for a Missouri elevator contractor pursuant to this rule. Use of a licensed elevator mechanic is not required for removing or dismantling equipment covered by sections 701.350 to 701.383, RSMo, and 11 CSR 40-5.010 to 11 CSR 40-5.150 which is destroyed as a result of a complete demolition of a secured structure or where the hoist-way or well-way is demolished back to the basic support structure, as long as no access is permitted therein to endanger the safety and welfare of a person. A licensed mechanic who performs work on any equipment not currently registered with the department shall report such non-registered equipment to the department as soon as possible, but not to exceed five (5) business days after performing work thereon. Failure to provide notification to the department may result in disciplinary action against the mechanic's license. No future work on such equipment shall be performed until such equipment is registered with the department.

(2) No licensed mechanic shall have under their direct supervision more than two (2) helpers/apprentices.

(A) Direct supervision of a helper/apprentice in construction, modernization, and repair is defined as having a licensed mechanic on the same jobsite, directly supervising the helper/apprentice.

(B) Direct supervision of a helper/apprentice in maintenance is defined as a licensed mechanic having the ability to physically intervene with a helper/apprentice at the jobsite within a safe and prudent timeframe. Only a licensed mechanic shall be allowed to take equipment covered by sections 701.350 to 701.383, RSMo, and 11 CSR 40-5.010 to 11 CSR 40-5.150 out of service or return such equipment to service.

(3) The licensee shall carry his/her license on their person at all times when performing the duties of an elevator mechanic I or II.

(4) Performing work as an elevator mechanic without first obtaining an elevator mechanic I or II license may result in permanent licensure denial by the board.

(5) Any elevator equipment work performed by a state licensed elevator mechanic pursuant to 11 CSR 40-5.165 and requiring a state inspection, such work shall only be inspected by a state licensed elevator inspector.

(6) Any elevator equipment testing performed by a state licensed elevator mechanic and requiring a state elevator safety inspection, such testing shall only be witnessed by a state licensed elevator inspector.

(7) All applicants for an elevator mechanic I or II license shall submitted to the board the following:

(A) A completed Application for Elevator Mechanic, a copy of the Application for Elevator Mechanic form may be obtained from the Missouri Division of Fire Safety, PO Box 844, Jefferson City, MO 65102-0844 and online at www.dfs.dps.mo.gov;

(B) A copy of a valid state driver's license or state identification card as proof of applicant's identity;

(C) Two (2) passport-type photographs (2 × 2 inches (51 × 51 mm) in size); and

(D) The applicable fee, as set out in 11 CSR 40-5.195.

AUTHORITY: sections 701.355 and 701.377, RSMo Supp. 2014. Original rule filed Nov. 12, 2014.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Division of Fire Safety, PO Box 844, Jefferson City, MO 65102, via facsimile at (573) 751-5710, or via email at firesafe@dfs.dps.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 40—Division of Fire Safety
Chapter 5—Elevators**

PROPOSED RULE

11 CSR 40-5.170 Elevator Mechanic License